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FAX:	703-872-9306	PHONE:
DATE:	October 12, 2004	
FROM:	Stephen B. Heller	

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FROM: Stephen B. Heller

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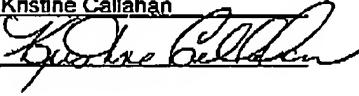
This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PATENT  
Attorney Docket No. 0945-0001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:  
Walter G. Madden, et al.  
  
Serial No.: 10/811,004  
  
Filed: March 26, 2004  
  
Examiner: Yvonne Abbott  
  
Art Unit: 3644  
  
For: MODULAR HOUSING FOR CATS

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Alexandria, VA 22313-1450

RESUBMISSION OF INFORMATION DISCLOSURE STATEMENT

On August 4, 2004, an Information Disclosure Statement was filed by mail in connection with the above-identified application.

A copy of the Information Disclosure Statement, Transmittal Form, Form PTO SB/08B and the cited reference are attached.

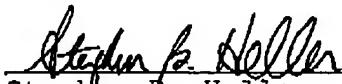
According to the return postcard, the Information Disclosure Statement was received by the Patent Office August 9, 2004. A copy of the postcard is also attached.

On October 4, 2004, a Notice of Allowance and fee(s) due is received in connection with this application. The Notice had a mailing date of September 29, 2004. In reviewing the

accompanying Notice of Allowability, it became apparent that the Information Disclosure Statement of August 4, 2004 was not considered.

On October 7, 2004, the undersigned spoke with Yvonne Abbott, the examiner for above-identified application. Examiner Abbott confirmed that the August 4, 2004 Information Disclosure Statement was not considered by her. Further, the electronic records of the Patent Office had not indicated its receipt. Consequently, examiner Abbott recommended that the Information Disclosure Statement be resubmitted, which applicant is doing with the present submission.

Respectfully submitted,

  
\_\_\_\_\_  
Stephen E. Heller  
Registration No. 30,181

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TRANSMITTAL  
FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number 10/811,004

Filing Date March 26, 2004

First Named Inventor Walter G. Madden et al.

Art Unit 3643

Examiner Name

Attorney Docket Number 0945-0001

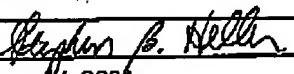
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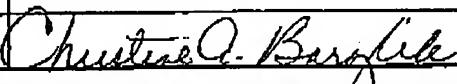
ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply - Preliminary <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Office, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Remarks  The following documents are also enclosed: - Cited Reference (Including Copy of Provisional Application No. 60/394,551 and photograph) - Return Postcard		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Stephen B. Heller
Signature	
Date	August 4, 2004

## CERTIFICATE OF TRANSMISSION/MAILING

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Typed or printed name	Christine A. Barglik
Signature	
Date	August 4, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C.1.22 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S.Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PATENT  
Attorney Docket No. 0945-0001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:  
Walter G. Madden, et al.  
  
Serial No.: 10/811,004  
  
Filed: March 26, 2004  
  
Examiner:  
  
Art Unit: 3643  
  
For: MODULAR HOUSING FOR CATS

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DATE: August 4, 2004  
  
NAME: Christine A. Barglik  
  
SIGNATURE: Christine A. Barglik

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to 37 C.F.R. §1.97, as revised on February 4, 1992, 1135 OG 23-24, Applicants hereby call the Examiner's attention to documents listed on the attached form, which documents may be material to the examination of this application.

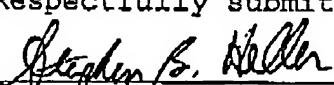
No inference should be drawn that any apparatus disclosed is equivalent to the subject invention. Also, the citation of the above-discussed documents is not to be construed as an assertion that more pertinent art could not possibly be in existence. Citation of any document herein is not to be

construed as an admission that any subject matter disclosed in the document is necessarily within the inventive field of endeavor, that any disclosure is necessarily prior in time to a particular date which may be relevant to the instant patent application, and/or that any disclosure is otherwise necessarily prior art with respect to the instant invention.

Applicants also respectfully reserve the right to later set forth how the instant invention is distinguished over the disclosure of any document or other art, including the disclosure of those documents discussed herein, that may be cited by the Examiner in rejecting a claim in the present patent application.

This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits. Accordingly, it is believed that no fee under 37 CFR 1.97(c) is required. If it is determined that a fee is required for this Information Disclosure Statement, please charge our Deposit Account No. 50/1039.

Respectfully submitted,

  
\_\_\_\_\_  
Stephen B. Heller  
Registration No. 30,181

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PTO/SB/083 (02-03)

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<p>Substitute for form 1449/PTO</p> <p><b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b></p> <p><i>(Use as many sheets as necessary)</i></p>				<i>Complete if Known</i>			
				Application Number		10/811,004	
				Filing Date		March 26, 2004	
				First Named Inventor		Walter G. Madden, et al.	
				Art Unit		3643	
				Examiner Name			
Sheet	1	of	1	Attorney Docket Number			
0945-0001							

**OTHER PRIOR ART-NON PATENT LITERATURE DOCUMENTS**

<b>Examiner Signature</b>		<b>Date Considered</b>	
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**"EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.**

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

\* Applicant's unique citation designation number (optional). An applicant is to place a check mark here if English language translation is desired. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by this public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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